

REMARKS

Claims 14 - 20 are pending in the application. The Office Action rejected claims 14, 16, and 17 under 35 U.S.C. § 103 as being unpatentable over Broussard in view of Cartwright et al. and Sharon et al. The Office Action also rejected claims 15 and 18 - 20 as being unpatentable over Gano, III et al. in view of Broussard and Sharon et al. Applicant believes that the cited art does not show the claimed invention and does not suggest the claimed invention to those skilled in the art.

CLAIMS 14, 16 AND 17

As the examiner notes, Broussard does not teach directly measuring the temperature of the materials, specifying upper and lower temperature ranges for the materials, or optimizing energy usage based on these actions. Instead of finding art that does meet these limitations, the examiner has resorted to claiming that "all of these features are generally old and well known in the art." If they are so well known, it is odd that the examiner has not been able to find a reference discussing them being used as claimed.

In fact, their combination is not known at all in this art. Cartwright only shows measurement of the materials in a chiller environment, but as discussed previously it is not analogous art and is used only in one direction of temperature change, not within a range. Sharon has similar shortcomings as it refers to a passive temperature control system, as opposed to an active, and only controls the ambient temperature within a range, not the material.

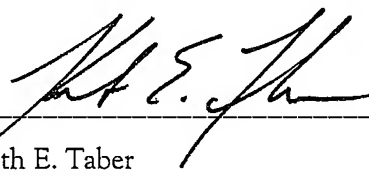
None of the cited prior art teaches the measurement of temperature of the shipped material, specifying a lower and upper temperature range for the material, and using these measurements to manage the heating and cooling of the shipping container to optimize efficiency. This is not just one element of the present claims that is lacking in the prior art, but several.

CONCLUSION

The Applicant respectfully requests the Examiner make the above amendments, withdraw all pending rejections, and allow the patent to issue. Any questions regarding this response should be directed to the undersigned attorney for Applicant.

Respectfully submitted,

CASH KLEMCHUK POWERS TAYLOR LLP
Attorneys for Applicant

By: 
Keith E. Taber
Registration No. 46,114

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8150 N. Central Expressway
Suite 1575
Dallas, Texas 75206
Tel: 214/239-8900
Fax: 214/239-8901